



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No.: 110001.123 (ADD-010US))

#4
1738/31/02

Applicant(s): Barbara S. Fox

Serial No.: 10/045,235

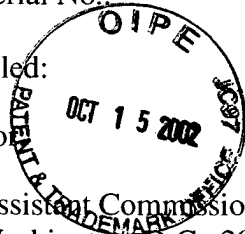
Examiner: Not Yet Assigned

Filed: October 29, 2001

Group Art Unit: 1731

For: DEVICE AND METHOD FOR THE CESSATION OF SMOKING

Assistant Commissioner for Patents
Washington, D.C. 20231



CERTIFICATE UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

10-9-02

Date

Anthony W. Sutton

TRANSMITTAL LETTER

Commissioner:

Enclosed for filing are the following documents:

- 1.) Second Information Disclosure Statement;
- 2.) Form PTO-1449, including 3 documents; and
- 3.) Copy of the International Search Report from PCT/US01/51239; and
- 4.) Return Postcard.

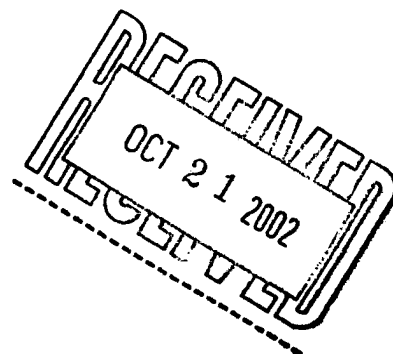
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Please charge any deficiency or credit any overpayment in connection with this matter to Deposit account No. 08-0219.

Respectfully submitted,

Date: 10/9/02

Emily R. Whelan
Registration No. 50,391
Attorney for Applicant



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SECOND INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner:

Applicant and their attorney are aware of the following publications and information listed on the attached PTO Form 1449, and in accordance with 37 CFR §1.97 hereby submit these publications for the Examiner's consideration.

Pursuant to 37 C.F.R. §1.97, Applicant hereby makes of record the documents listed on the attached Form PTO-1449. Copies of the listed documents are enclosed. Also enclosed is the International Search Report from the corresponding international application No. PCT/US01/51239. Some of the documents cited in the search report have already been disclosed in the present application.

It is respectfully requested that the information above be expressly considered during the prosecution of this application and that the publications be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In this regard, it is requested that the Examiner initial and return a copy of the enclosed Form PTO-1449 with the next Patent Office Communication.

This submission does not represent that a search has been made and does not constitute an admission that the listed documents are material to patentability or that the listed documents are prior art. If it should be determined that any of the listed documents do not constitute "prior

art” under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

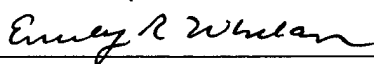
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits and is therefore submitted as both timely and proper; therefore, no fees are believed to be due.

The Commissioner, however, is hereby authorized to charge any fee deficiency or credit any overpayment to Deposit Account No. 08-0219.

Respectfully submitted,

Date: 10/9/02



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